

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2021 FEB -2 AM 9:49

SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

KAMI L. WHITMIRE

Plaintiff,

v.

PERDUE FOODS LLC, a Maryland
Limited liability company, and PERDUE
FARMS, INC.

Defendants.

No.

21 2 00059 29

COMPLAINT FOR DAMAGES

COMES NOW the Plaintiff, KAMI L. WHITMIRE, by and through his attorney, David

A. Nelson, and for a claim against Defendants, alleges as follows:

I. JURISDICTION AND VENUE

1.1 The above Court has jurisdiction over the parties and subject matter herein alleged.

1.2 Venue is proper in Skagit County, Washington, pursuant to Revised Code of Washington (RCW) 4.12.025 (where the accident occurred).

II. PARTIES

2.1 The Plaintiff, KAMI L. WHITMIRE, is resident of Longview, Cowlitz County, Washington.

Complaint for Damages

1

NELSON LAW FIRM, PLLC
1717 Olympia Way, Suite 204
Longview, WA 98632
Telephone (360) 425-9400
Facsimile (360) 425-1344
dave@lighthouselaw.com

2.3 Defendant, PERDUE FARMS, INC. is a foreign corporation doing business in Skagit County, Washington.

3.1 On or about January 3, 2019, Plaintiff KAMI L. WHITMIRE was employed by Integrated Mechanical, Inc. as a millwright constructing a platform at the Perdue Foods, LLC/ Perdue Farms, Inc. facility located at 16939 State Route 20, Burlington, Skagit County, Washington.

3.3 That at all times relevant to this Complaint, the Plaintiff was a business invitee of Defendants PERDUE FOODS LLC and PERDUE FARMS, INC.

3.5 The panels of the catwalk were constructed so that the angle of the iron to attach the plates of the catwalk were located under the catwalk.

3.9 As she was walking on the catwalk on January 3, 2019, and watching above her head as she was warned by the signs, the Plaintiff stepped on the edge of the angle iron that was above the plate, sustaining serious injuries to her left ankle.

3.11 Additionally, the Defendants were negligent in failing to mark, color or designate the angle iron on top of the walkway as a dangerous condition of the property, thereby providing a warning to the Plaintiff.

4.1 The Plaintiff has suffered past, present, and future damages as follows:

- a. Mental, physical, and emotional distress;
- b. Pain and suffering;
- c. Loss of the joys and amenities of life;
- d. Inconvenience;
- e. Disability; and
- f. Loss of society and companionship.

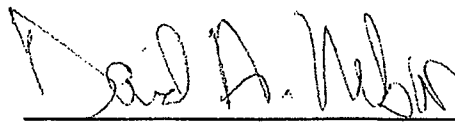
- a. Medical expenses of all kinds;
- b. Wage loss and/or earning capacity; and
- c. Mileage expenses associated with medical treatment.

1 WHEREFORE, the Plaintiff prays for judgment against the Defendants as follows:

- 2 1. For the above-stated damages in an amount according to proof at the time
3 of trial;
- 4 2. For costs and reasonable attorney fees pursuant to RCW 4.84 et seq.;
- 5 and
- 6 3. For such other and further relief as the Court deems just and equitable.

7 DATED 27th day of January, 2021.

8 NELSON LAW FIRM, PLLC

9 
10 _____
11 David A. Nelson WSB #19145
12 Attorney for Plaintiff

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SUMMONS
(20 Day)

TO THE DEFENDANTS: A lawsuit has been started against you in the above entitled court by the above-named Plaintiff. Plaintiff's claims are stated in the written Complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the Complaint by stating your defense in writing, and serve a copy upon the undersigned attorneys for the Plaintiffs within 20 days after the service of this summons, excluding the day of service, or within sixty (60) days if this Summons was served outside the State of Washington, or a Default Judgment may be entered against you without notice. A Default Judgment is one where Plaintiff is entitled to what she asks for because you have not responded. If you serve a Notice of Appearance on the undersigned attorneys, you are entitled to notice before a Default Judgment may be entered.

You may demand that the Plaintiff file this lawsuit with the Court. If you do so, the demand must be in writing and must be served upon the Plaintiff. Within 14 days after you serve the demand, the Plaintiff must file this lawsuit with the Court, or the service on you of this Summons and Complaint will be void.

SUMMONS (20 days)

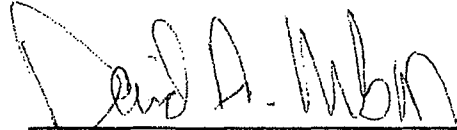
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1 If you wish to seek the advice of an attorney in this matter, you should do so
2 promptly so that your written response, if any, may be served on time.

3 This summons is issued pursuant to rule 4 of the Superior Court Rules of the State
4 of Washington.

5 DATED: 1-27, 2021.

6 

7 David A. Nelson WSB #19145
8 Attorney for Plaintiff

9 FILE RESPONSE WITH:

10 Skagit County Superior Court
11 205 W. Kincaid Street, Room 103
12 Mt. Vernon, WA 98273

13 SERVE A COPY OF YOUR RESPONSE ON:

14 David A. Nelson
15 NELSON LAW FIRM, PLLC
16 1717 Olympia Way, Ste. 204
17 Longview, WA 98632
18 Telephone: (360) 425-9400
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SUMMONS (20 days)

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